IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 51 of 1995

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

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Versus

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Appearance:

1. Appeal from Order No. 51 of 1995

MR SURESH M SHAH for Appellant No.

MR MEHUL S SHAH for Appellant No.

MR SANJAY M AMIN for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 13/01/2005

ORAL JUDGEMENT

1. The appellant has preferred this appeal from

order against the order dated 31/12/1994 passed below application Exh.5 by the learned Civil Judge (S.D.), Godhra in Special Civil Suit No.18 of 1993, whereby the said application was rejected and the ad-interim injunction order was vacated.

2. While admitting this Appeal from Order, this Court in Civil Application No.957 of 1995 had directed the parties to maintain status quo. Now, as status quo is operating since 1995, it would be appropriate to direct the parties to maintain status quo till the suit pending before the said Court is finally disposed of.

3. I have heard learned counsel for the parties and have perused the relevant documents on record. In view of the facts and circumstances of the case, I am of the opinion that ends of justice would be met if the trial Court is directed to expedite the hearing of the said suit since the suit is of the year 1995.

4. Therefore, without entering into the merits of the matter, the trial Court is directed to hear and dispose of Special Civil Suit No.18 of 1993 pending before the Court of the learned Civil Judge (S.D.), Godhra as expeditiously as possible and preferably within a period of one year from the date of receipt of writ of this order.

5. With the above observations and directions, the Appeal from Order stands disposed of. Parties are directed to maintain status quo till the said suit is finally disposed of.

[K. S. JHAVERI, J.]
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